

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

SHIRLEY E. JONES, M.D.,

Plaintiff,

v.

Case No. 3:20-cv-737-J-32JBT

UNIVERSITY OF FLORIDA (UF)  
DEPARTMENT OF COMMUNITY  
HEALTH AND FAMILY MEDICINE,  
COLLEGE OF MEDICINE, et al.,

Defendants.

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**ORDER**

Barring certain exceptions, a defendant has a statutory right to timely remove any case over which the federal court can exercise original subject matter jurisdiction, regardless of whether the state court can too. See 28 U.S.C. § 1441(a). Here, the federal court can exercise original subject matter jurisdiction over plaintiff's claims arising under 42 U.S.C. § 1981 and the Family and Medical Leave Act of 1993, rendering the entire case removable. See 28 U.S.C. § 1367(a); see also In re City of Mobile, 75 F.3d 605, 607-08 (11th Cir. 1996) (holding district court erred in remanding to state court case that included properly removed federal claim).

Accordingly, it is hereby

**ORDERED:**

1. Plaintiff's motion to remand (Doc. 7), to which defendants responded in opposition (Doc. 8), is **denied**.

2. Plaintiff's response to defendants' motion to dismiss and to quash for improper and insufficient service of process (Doc. 6) is overdue and must be filed no later than **August 24, 2020**.

**DONE AND ORDERED** in Jacksonville, Florida this 10th day of August, 2020.



TIMOTHY J. CORRIGAN  
United States District Judge

s.  
Copies:  
Counsel of record